

# IN THE UNITED STATES

# PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Christopher E. Axe, Marco S. Casalaina

APPLICATION NO.:

09/636,418

FILING DATE:

August 10, 2000

TITLE:

VISUAL CONFIGURATOR

**EXAMINER:** 

Unknown

**GROUP ART UNIT:** 

2671

ATTY. DKT. NO.:

4876

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Washington, D.C. 20231, on the date shown below:

Dated: tebruary 4, 2002

Tina M. Lessani, Reg. No. 41,150

COMMISSIONER FOR PATENTS WASHINGTON, DC. 20231

> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT Under 37 CFR §§ 1.56 and 1.97-98

SIR:

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is modified form PTO-1449 listing a reference for consideration by the Examiner. A copy is enclosed herewith of each listed reference which may be material to the examination of this application, and with respect to which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

Technology Center 210(

applic refere	cation Se	rial No. ed therei	s, under 35 U.S.C. § 120, on the earlier filing date of prior [SERIAL NUMBER], filed on [FILING DATE], and the in are hereby referenced, but are not required to be provided ther 37 CFR § 1.98(d).
The Informat	ion Disc	losure S	Statement submitted herewith is being filed:
$\boxtimes$			onths of the filing date of the application, or date of entry
			al stage of an international application, or before the mailing fficial action on the merits, whichever event last occurred;
			ing of a first official action after the filing of a request for nination (RCE) under 37 CFR § 1.114;
	of entry mailing	of the residual date of a final a notice attaches \$1.17() under 3	ths of the filing date of this national application or the date national stage in an international application, or after the the first official action on the merits, whichever event last efore the mailing date of the first to occur of either: action under 37 CFR §1.113; OR e of allowance under 37 CFR §1.311; AND ed hereto is the fee of \$180, as set forth under 37 CFR p), for submission of this Information Disclosure Statement 37 CFR.§ 1.97(c); OR ant certifies pursuant to 37 CFR § 1.97(e) that: each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
	OR		no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.

	before	the payment of the	ne issue fee but after the mailing date of the first to
	occur c	f either:	
	[1]	a final action un	der 37 CFR § 1.113; OR
	[2]	a notice of allow	vance under 37 CFR § 1.311; AND
		in accordance w	ith the requirements of 37 CFR § 1.97(d):
		Applicant certifi	es pursuant to 37 CFR. § 1.97(e) that:
		each iten	n of information contained in this Information
		Disclosu	re Statement was cited in a communication from a
		foreign p	eatent office in a counterpart foreign application not
		more tha	n three months prior to the filing of this Statement;
		OR	
		no item o	of information contained in this Information
		Disclosu	re Statement was cited in a communication from a
		foreign p	eatent office in a counterpart foreign application or,
•		to the kn	owledge of the person signing this certification
		after mal	king reasonable inquiry, was known to any
		individu	al designated under 37 CFR § 1.56(c) more than
		three mo	nths prior to the filing of this Statement; AND
		Applicant hereb	y respectfully petitions for the consideration of
		the accompanying	ng Information Disclosure Statement under 37 CFR
		§ 1.97(d)(2); AN	AD .
		Applicant subm	its the petition fee of \$180 as set forth in 37 CFR §
		1.17(p).	
	ant sub	mits that no fee is	s required for the consideration of the
accompanying Inform	ation D	isclosure Statem	ent.
	•		
Consideration	of the 1	isted reference ar	nd favorable action are solicited.
		F	Respectfully submitted,
			CHRISTOPHER E. AXE, MARCO S.
		C	CASALAINA
Dated: Falance	C.S.	3002 E	By: Dive M. Ferrani
Dated: <u>Februar</u>	2 -1+	<u> </u>	Tina M. Lessant, Reg. No. 41,150
			· •

### **PATENT**

Fenwick & West LLP Two Palo Alto Square Palo Alto, CA 94306 Tel.: (650) 858-7609

Fax.: (650) 494-1417



#### Statement Regarding Demonstration of a Prototype Visual Configurator

It is the understanding of the Attorneys of Record that in approximately 1998, Calico Commerce, Inc. demonstrated a prototype visual configurator to a customer or potential customer. Applicants believe that the visual configurator system and method claimed in the subject application is patentably distinguishable from the prototype visual configurator that was demonstrated in 1998. It is the understanding of the Attorneys of Record that the visual configurator demonstrated in 1998 is the dispatch system described (1) on page 4, lines 4-12 of the "Background of the Invention" section of the subject application and (2) in the document titled "Visio-based Configuration Overview," which was included in the Information Disclosure Statement previously filed on November 29, 2000.

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PTO/SB/21 (modified)
Approved for use through xx/xx/xx, OMB 0651-0031

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0001/PTO S. Department of Co. Rev. 10/95 Patent and Tradema		Application Number	09/636,418		
		Filing Date	August 10, 20	000	
TRANSMITTAL FORM	1	First Named Inventor	Christopher I	E. Axe	
(to be used for all correspondence during pend filed application)	dency of	Group Art Unit Number	2671		
		Examiner Name	Unknown		A
Total Number of Pages in This Submission 9	•	Attorney Docket Number	21113-4876	As-	KC <sub>A</sub>
ENCLOS	SURES	(check all that apply	<u>')</u>	ECX Y	1 S/L
Fee Transmittal Form (in duplicate)  Check Enclosed  Return Receipt Postcard  Response to Notice to File Missing Parts  Assignment & Recordation Cover Sheet  Declaration  Power of Attorney  Application Data Sheet  Information Disclosure Statement & PT  Copies of IDS Cited Reference  Request for Corrected Filing Receipt  Request for Correction of Recorded Assig  Amendment/Response: [] Page(s)  After Final  Status Request  Revocation and Substitute Power of Attor	FO-1449 es gnment	Issue Fee Transi Letter to Chief Di Formal Drawing(	mittal raftsperson s): e) of Figure(s) [ ication to Board ication to Group Brief, Reply Brief Priority Docum	of of Appeals and of ef) nent(s)	RECE
REMARKS:					
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SIGNATU	JRE OF	ATTORNEY OR AGE!	N I		1
Signature:	. <i>I</i>	enani	Datadi	02/04/02	
Attorney/Reg. No.: Tina M. Lessani, 41,150			Dated:	02/04/02	
		ATE OF MAILING			,
I hereby certify that this correspondence, including the first class mail in an envelope addressed to: Commissi Mail Mailing Number is filled in below, then this corresponding to Addressee" service pursuant to 37 CFR 1.10.	ioner for Pat pondence is	tents, Washington, D.C. 20231	on the date shown	below. If the Express	
Signature: Sura M.		enani	······		
Typed or Printed Name: Tina M. Lessanii	$\overline{}$		Dated:	02/04/02	
Express Mail Mailing Number (optional):					

Christopher E. Axe

2671

PTO/SB/17 (10-01)(modified)
OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Complete if Known

n Number 09/636.418 0002/PTO(modified) 0.S. Department of Commerce Rev. 10/2001 Patent and Trademark Office Application Number Filing Date August 10, 2000

First Named Inventor Group Art Unit

# **FEE TRANSMITTAL**

TOTAL AMOUNT OF PAYMENT				Examiner Name	Unknown			<b>7</b>		
Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$)0				Attorney Docket Nur	nber	21113-4876	2 1/2	, 'C		
METHOD OF PAYMENT				3. ADDITIONAL FEES					Poll	
1. The Commissioner is hereby authorized to:			3. ADDITION	AL FEES			000	F.		
Charge the indicated fees to the below mentioned deposit account.			Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Small Entity		ST C	2500 000		
			105/\$130	205/\$65		rge - late filing fee or	ooth	STEE DUC		
	rge any addition:	al fee required u	ınder 37	103/\$130	203/ <b>30</b> 3	Suicia	ige - late lilling lee of	Oaur	00	
CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. 1			127/\$50	227/ <b>\$2</b> 5	Surcha	Surcharge-late provisional filing fee or cover sheet				
Applicant claims small entity status See 37 CFR 1.27			147/ <b>\$2,520</b>	147/ <b>\$2,520</b>	For filin	g a request for reexa				
			115/\$110	215/\$55	Extensi	Extension for response within first month†				
				116/\$400	216/ <b>\$20</b> 0	Extensi	Extension for response within second month $\dagger$			
	int Number: 19 int Name: FEN		110	117/\$920	217/\$460	Extensi	sion for response within third month			
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	yment Enclos Check ☐ C		Other	119/\$320	219/ <b>\$160</b>	Notice	of Appeal			
FEE CAL	CULATION	(fees effective 1	0/01/2001)	141/\$1,280	241/ <b>\$640</b>	Petition applica	to revive unintention			
	Small Entity Fee Code/Fee	Fee Description	Fee Due	142/ <b>\$1,28</b> 0	242/\$640		ssue Fee (Or Reissue	center 2100		
101/\$740	201/\$370	Utility Filing		143/ <b>\$460</b>	243/ <b>\$230</b>	Design	Issue Fee	100		
106/ <b>\$330</b>	206/ <b>\$165</b>	Design Filing		122/ <b>\$130</b>	122/ <b>\$130</b>	Petition	s to the Commission			
				126/\$180	126/\$180	Submis	sion of Information D	isclosure Statement		
108/\$740	208/\$370	Reissue		179/\$740	279/\$370	Reques	t for Continued Exam	mination (RCE)		
114/\$160	214/\$80	Provisional Filing		581/ <b>\$40</b>	581/\$40		ing each patent assig			
2 CLAINC	SUBTOTAL (1) (\$) 0			146/ <b>\$740</b>	246/ <b>\$370</b>	(times number of properties)  \$370 Filing a submission after final rejection (37 CFR 1.129(a))				
2. CLAIMS  Large Entity	Small Entity			149/\$740	249/ <b>\$370</b>		th additional invention	n to be examined	<u> </u>	
Fee Code/Fee	Fee Code/Fee	Fee Descrip			_ · · •		R 1.129(b))		<del></del>	
103/\$18	203/\$9	Claims in ex	cess of 20		Other fee (specify):					
102/\$84	102/\$84 202/\$42 Independent claims in excess of 3			Other fee (specify):						
104/ <b>\$280</b>	204/ <b>\$140</b>	Multiple dep	endent claim				SUE	BTOTAL (3) (\$)	0	
109/\$84	209/ <b>\$42</b>	Reissue inde	enendent	(Col. 1)	(Col. 2	2)	(Col. 3)			
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* Subtract the greater number of Col. 2 SUBTOTAL (2) (\$)0  ** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3										
SUBMITTED BY						Complete (if applicable)				
Typed or Printed Name Tina M. Lessani					Reg. Number	41,150	0			
Signature Dive M. Lenari						Date	February 4, 200	2		